THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 17392 of 2006

Dated: 13-10-2006

Between:

Mrs Shukur Bee

..... PETITIONER

AND

The Chief Manager and Authorised Officer,
Indian Bank,
Guntur and another

.....RESPONDENTS

THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 17392 of 2006

O R D E R:

This writ petition is filed seeking a direction that the action of the respondents in proceeding under the provisions of the Securitisation and Reconstruction of the Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'the Act') including the notice issued under Section 13(2) of the Act, dated 26-06-2006 is arbitrary and illegal.

Having regard to the provisions of the Act, this Court, while directing notice to the respondents, by order, dated 23-08-2006, passed an order as under:

> "Notice before admission.
>
> Post after two weeks.
>
> In the meanwhile, the petitioner is granted liberty to make a representation raising her objections to the notice issued under Section 13(2) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'the Act') within a period of one week from today. If any such representation is made, the same shall be considered by the respondents in terms of the sub-section (3A) of Section 13 of the Act. Till such time, the respondents are directed not to take any coercive steps against the petitioner."

In terms of the said order, it appears that the petitioner made a representation dated 29-08-2006 and having considered all the objections raised by the petitioner, the respondent-Bank passed an order dated 04-09-2006 in terms of the sub-section (3A) of section 13 of the Act and the same was communicated to the petitioner informing that the objections raised by him are not tenable.

Since the objections raised by the petitioner were already

considered and rejected by the respondents, if aggrieved, it is for the petitioner to work out the appropriate remedy available under law and no further enquiry is required in this writ petition.

Accordingly, the writ petition is dismissed. No costs.

G. ROHINI, J

Dated: 13-10-2006
KLP